

MSRC PRC APPLICATION-- RESPONSE TO PUBLIC COMMENTS

Commenter	Comment	Response
Friends of the San Juans	Please confirm that the MSRC is not required to respond to any Group 5 oils and/or non-floating oils. If the MSRC is the PRC for tankers and/or tank barges transporting Canadian oil sands crude oil (aka diluted bitumen and Canadian tar sands crude oil), Ecology should require spill response resources to detect, contain, and collect non-floating oils; and air quality monitoring and protective gear for spill responders.	MSRC is the Primary Response Contractor for the Washington State Maritime Cooperative. Vessels enrolled under this umbrella contingency plan may transport Group 5 oils. Under WAC 173-182-324, Plan holders carrying, handling, storing, or transporting Group 5 Oils must have a contract with a PRC that maintains the resources and/or capabilities necessary to respond to a spill of Group 5 Oils (which is a heavy that is anticipated to sink when spilled in the environment). MSRC has previously submitted updates to their application that reflect the capabilities called out in the rule in addition to details about their responder training, air monitoring and protective gear standards for their responders.
Friends of the San Juans	The MSRC identifies strike teams for the operating environment, "Open Water waves 0-6 ft;" for example, the San Juan County Technical Manual - (6 hour) - Recovery System Detail: Recovery System ROYAL TERN which includes two 36 foot work boats. The Guidelines for the U.S. Coast Guard Oil Spill Removal Organization Classification Program (April 2013) Section F. Open Ocean states: "All equipment to be used in this operating area must be capable of operating in 6-foot wave heights" and specifically requires boom that is greater than or equal to 42 inches. According to the application (and the Western Response Resource List (WRRL)), the boom included with the ROYAL TERN/TEAL strike team is 20 inches. The federal guidelines for OSROs do not specify what size work boats are required to successfully tow boom in conditions with waves up to six feet. Would the 36 foot workboats be suitable for towing boom at Turn Point? Please confirm that all boom and workboats included in this PRC application are capable of successfully containing and collecting all types of oils in the MSRC's identified operating environment, and in all areas/operating environments in the San Juan County Planning Standard area.	MSRC has developed a technical manual which describes the boom storage and equipment appropriate for the operating environment based on the following; (1) MSRC operational considerations in using the equipment, (2) WAC 173-182-370 the San Juan County planning standard requirements, (3) Applicable ASTM standards referenced in the WAC, and (4) WAC 173-182-349 Covered vessel plan holders technical manuals requirements. The USCG OSRO Classification Program is applied by the USCG and is not part of the Ecology regulations or PRC application review processes. Additionally, the USCG has not identified the San Juan Islands as an open ocean operating environment. It is currently identified as a near shore operating environment per the USCG designations.
Friends of the San Juans	The San Juan County Oil Spill Response Capacity Evaluation (produced for San Juan County by Nuka Research & Planning Group, LLC) determined that using only those strike teams suited to open water conditions reduced potential recovery capacity. Please address this finding in Ecology's evaluation of the MSRC's PRC application.	Thank you for submitting this finding during the public comment period. The Response Capacity Analysis approach conducted by NUKA is not intended to be a compliance analysis, but another way to look at a response system in a quantitative way to understand how it works and how it might be improved. Per the study instructions we are not using the study to impact regulatory compliance decisions.

<p>Friends of the San Juans</p>	<p>WAC 173-182-350 (4) states, "Equipment travel speeds shall be computed using a speed of thirty-five miles per hour for land and five knots for water." WAC 173-182-350 (5) states, "Plan holders may request approval for alternative notification, mobilization, and travel time by providing documentation to justify the request, such as actual performance during spills or unannounced drills." And (5)(b) states, "If ecology accepts these alternative response times, then these response times will be tested in unannounced drills or spills to verify alternative calculations." Ecology approved the MSRC's alternate travel speeds over eight years ago, and the alternated travel speeds were not based on "actual performance during spills or unannounced drills." If Ecology allows the MSRC's alternate travel speeds to remain in effect, please confirm that these alternate response times have been "tested in unannounced drills or spills to verify alternative calculations" and that these alternate travel times are confirmed for travel to the operating environments in the San Juan County Planning Standard area.</p>	<p>When reviewing industry oil spill plans, we analyze whether response equipment is in strategic locations and that the equipment can be moved from a home base to a potential spill site within certain planning timeframes. Standard travel speeds of 35 miles per hour over land and 5 knots over water and 100 knots by air are applied, unless plan holders request alternative travel speeds and we grant them. Because PRCs own the equipment and keep records on performance PRCs often submit alternative travel speed requests to meet the requirement (WAC 173-182-350). PRCs must submit alterantive travel speeds using the guidance on our website- http://www.ecy.wa.gov/programs/spills/preparedness/prc/guidanceinfo.html -- We reserve the right to test the equipment in unannounced drills or to request spill documentation of vessel and skimmer performance.</p>
<p>Friends of the San Juans</p>	<p>Vessels of Opportunity (VOO) contracts for the San Juan Islands / North Puget Sound region includes only one VOO (out of twelve) that is resident in San Juan County (the TOWLINE, located in Friday Harbor, to be used for Geographic Response Plan support). The MSRC PRC should be required to have contracts for VOOs distributed throughout the VOO region.</p>	<p>Thank you for our comment. The San Juan Islands is unique because of the longstanding volunteer structure under the state approved PRC Islands Oil Spill Association (IOSA). Several of the potential VOO vessels in the area may already be part of the IOSA system, this could affect the contracting of vessels for the region. Additionally, the regulation does not have specific contracting requirements for VOO other than that they come from within the region. We will consider this comment as we implement the regulation and consider updates to the regulations in the future.</p>